

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Erinn White	Team: Team # 3	CCRB Case #: 201106196	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 05/11/2011 4:00 PM	Location of Incident: Davidson Ave. & W176th St.; E175th St. btwn Townsend Ave. & Walton Ave.; E176th St. & Townsend Ave.	Precinct: 46	18 Mo. SOL 11/11/2012	EO SOL 11/11/2012	
Date/Time CV Reported Fri, 05/13/2011 4:44 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 05/13/2011 4:44 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. An officer			
2. Officers			
3. POM Kevin Martin	24921	941068	046 PCT

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Abuse: On May 10, 2011, officers stopped § 87(2)(b) and § 87(2)(b) at West 176th Street and Davidson Avenue in the Bronx.	
B. POM Kevin Martin	Abuse: On May 10, 2011, Officer Kevin Martin searched § 87(2)(b) and § 87(2)(b) at West 176th Street and Davidson Avenue in the Bronx.	
C. An officer	Abuse: On May 11, 2011, an officer stopped § 87(2)(b) on East 175th Street between Townsend Avenue and Walton Avenue in the Bronx.	
D. An officer	Abuse: On May 11, 2011, an officer searched § 87(2)(b) on East 175th Street between Townsend Avenue and Walton Avenue in the Bronx.	
E. Officers	Abuse: On May 11, 2011, officers stopped § 87(2)(b) at the intersection of East 176th Street and Townsend Avenue in the Bronx.	
F. An officer	Abuse: On May 11, 2011, an officer searched § 87(2)(b) at the intersection of East 176th Street and Townsend Avenue in the Bronx.	

Case Summary

On May, 13, 2011, § 87(2)(b) filed a complaint with the CCRB via phone concerning three separate incidents, which occurred on May 10 and May 11, 2011.

At approximately 11:45PM on May 10, 2011, § 87(2)(b) and his friend, § 87(2)(b) were walking to an apartment building at Davidson Avenue and West 176th Street in the Bronx to visit § 87(2)(b)'s uncle. As they were approaching the entrance, approximately four marked police vehicles stopped in front of it. PO1, who § 87(2)(b) described as a Hispanic female, 5'5" tall, petite build, light brown hair in a ponytail, in uniform and wearing a white shirt, and Officer Kevin Martin of the 46th Precinct, who § 87(2)(b) identified from his shield, allegedly approached § 87(2)(b) and § 87(2)(b) and told them that they were being stopped because they fit the description of a male individual who had just committed a robbery (**Allegation A**). They described the male for whom they were looking as a light-skinned Hispanic male with braids. Officer Martin allegedly searched § 87(2)(b) and § 87(2)(b) (**Allegation B**). Officer Martin also made them take off their shirts and shoes. The officers held § 87(2)(b) and § 87(2)(b) at the scene until more officers brought the victim to the location. The victim told the officers that neither § 87(2)(b) nor § 87(2)(b) was the person who robbed them. § 87(2)(b) and § 87(2)(b) were released without being summonsed or arrested.

At approximately 1:00PM on May 11, 2011, § 87(2)(b) exited a store located at East 175th Street between Townsend Avenue and Walton Avenue in the Bronx. PO2, who § 87(2)(b) described as a white male, 5'7", 170-180 pounds, mid 30s, and in uniform, allegedly approached § 87(2)(b) and asked him if he had crack on him (**Allegation C**). PO2 allegedly then searched § 87(2)(b)'s pockets (**Allegation D**). PO2 also reached his hand into § 87(2)(b)'s pants and briefly felt around § 87(2)(b)'s genitals. When PO2 did not find anything, he allowed § 87(2)(b) to leave and stated, "If you're selling anything, don't do it in front of me." § 87(2)(b) was not arrested and did not receive a summons.

Sometime between 4:00PM and 5:00PM on May 11, 2011, § 87(2)(b) was walking at the intersection of Townsend Avenue and East 176th Street in the Bronx when three plainclothes officers in an unmarked black Impala stopped along side of him. PO3 rolled down the window and allegedly told § 87(2)(b) to stop (**Allegation E**). PO3 and PO4 exited the vehicle. PO3 asked § 87(2)(b) if he had any weapons or drugs on him. § 87(2)(b) replied that he did not. PO3 then allegedly searched § 87(2)(b)'s pockets (**Allegation F**). When PO3 did not find anything, he released § 87(2)(b) without a summons or arrest.

In his intake statement, § 87(2)(b) provided a phone number, mailing address, and email address; § 87(2)(b) did not have any contact information for § 87(2)(b). Between May 18, 2011 and May 23, 2011, the investigator placed three phone calls to § 87(2)(b). On all calls there was no answer and a voicemail message was left.

In addition to contacting § 87(2)(b) by phone, on May 18, 2011 a please call letter was sent to § 87(2)(b)'s mailing address. As of the date of this report, this letter has not been returned by the United States Postal Service. On May 24, 2011 and June 1, 2011, an email was sent to § 87(2)(b)'s email address.

A search of Yellow Pages and Lexis Nexis did not provide any alternative contact information for § 87(2)(b) or § 87(2)(b). The Stop, Question, and Frisk index revealed no reports prepared in connection to all of the incidents that occurred on both dates.

A search of NYC Department of Correction's inmate lookup service confirms that as of June 17, 2011 § 87(2)(b) and § 87(2)(b) are not currently incarcerated.

§ 87(2)(b), § 87(2)(g)

Team: _____

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Investigator:	_____	_____	_____
	Signature	Print	Date

Supervisor:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date